

Atty. Dkt. No. 041673-2054

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tuszynski, Mark H.
Title: METHODS FOR THERAPY OF
NEURODEGENERATIVE
DISEASE OF THE BRAIN
Appl. No.: 10/032,952
Filing Date: 10/26/2001
Examiner: Chen, Shin Lin
Art Unit: 1632

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.	
<i>Michelle Sympson</i> (Printed Name)	
<i>Michelle Sympson</i> (Signature)	
October 2, 2003 (Date of Deposit)	

AMENDMENT AND REPLY UNDER 37 CFR 1.111

Mail Stop FEE AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated April 2, 2003, concerning the above-referenced patent application.

Applicant hereby petitions for a three (3) month extension of time under 37 C.F.R. §1.136 to make this response timely. The Commissioner is hereby authorized to charge the fee due for the requested extension of time, as well as any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

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The amendments presented below are in compliance with the revised amendment format permitted in the Notice from the Office of Patent Legal Administration of the U.S. Patent and Trademark Office dated February 10, 2003, and published at 1267 OG 106 on February 25, 2003. Thus, the provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for any amendments made in this application to the claims, specification, and drawings.

Amendments to the Abstract are presented as a new Abstract attached to this document for insertion after the claim pages of the application (or to replace the previously submitted Abstract).

Amendments to the Claims begin below, on this page of this document.

Amendments to the Specification begin on page 5 of this document.

Remarks/Arguments begin on page 5 of this document.

Please amend the application as follows:

Amendments to the Claims:

1. (Currently Amended) A method for delivery of a therapeutic neurotrophin to targeted defective, diseased or damaged neurons in the mammalian brain, the method comprising directly delivering a neurotrophic composition, comprising a neurotrophin encoding ~~lentiviral expression~~ vector, into one or more delivery sites within a region of the brain containing targeted neurons; wherein the neurotrophin is expressed in, or within proximity to 500 μm from, a targeted cell; ~~and no more than about 10 mm from another delivery site;~~ and wherein further contact with the neurotrophin ameliorates the defect, disease or damage.

2. The method according to Claim 1, wherein the region of the brain containing the targeted neurons is the substantia nigra.